



DPW

PATENT  
ATTORNEY DOCKET NO.: 040894-5954

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Michio TADA, et al.	)	Confirmation No.: 9219
	)	
Application No.: 10/657,130	)	Group Art Unit: 3653
	)	
Filed: September 9, 2003	)	Examiner: T. Morrison
	)	
For: SHEET TRANSPORTING APPARATUS	)	
AND SHEET PROCESSING APPARATUS)	)	
USING THE SAME	)	

**Customer Window, Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Response to Notice of Non-Compliant Amendment responding to the Notice of Non-Compliant Amendment dated January 13, 2006.
2. Additional papers enclosed:

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal (Correction)   |
| <input type="checkbox"/>            | Information Disclosure Statement   |
| <input type="checkbox"/>            | Form PTO-1449, _____ references included   |
| <input type="checkbox"/>            | Citations  |
| <input type="checkbox"/>            | Declaration of Biological Deposit  |
| <input type="checkbox"/>            | Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence. |
| <input checked="" type="checkbox"/> | Other: Revised copies of pages 5-7   |

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	22		x \$50 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4		x \$200 each=	+ \$
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge the \_\_\_\_\_ fee due for \_\_\_\_\_ to Deposit Account 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

Dated: January 24, 2006

Customer No.: 009629

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: 202-739-7000



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AND SHEET PROCESSING APPARATUS)		
USING THE SAME )		

**Mail Stop: Amendment**  
Commissioner for Patents  
Customer Window  
Alexandria, VA 22314

Sir:

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT**

In response to the Notice of Non-Compliant Amendment dated January 13, 2006, the period for response to which extends through February 13, 2006, enclosed are revised copies of pages 5-7 of the Amendment and Request for Reconsideration under 37 C.F.R. § 1.111 filed on September 28, 2005. The revised pages indicate that the status of claims 15-18 and 20 is properly "Withdrawn."

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Further, Applicants respectfully submit that the new claims 21-22 are applicable to  
Figures 1-19 of the application.

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